



Federal Court of Australia
District Registry: Victoria
Division: General

No: VID918/2018

MATTHEW HALL
Applicant

PITCHER PARTNERS and others named in the schedule
Respondent

ORDER

JUDGE: JUSTICE MIDDLETON

DATE OF ORDER: 20 July 2021

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Pursuant to ss 33X(1)(a) and 33Y(2) of the *Federal Court of Australia Act 1976* (Cth) (**Act**), the form and content of the notices set out in Annexures A and B be approved, namely:
 - (a) Annexure A, being the “**Opt Out Notice**”; and
 - (b) Annexure B, being the “**Advertisement**.”
2. Pursuant to ss 33X(1)(a) and 33Y(3) of the Act, the Opt Out Notice is to be given to group members on or before 28 July 2021 (**Notice Date**) according to the following procedures:
 - (a) The solicitors for Mr Hall will cause a copy of the Opt Out Notice, together with copies of the Statement of Claim and Defence and these orders to be displayed in downloadable form on the website maintained by them in relation to these proceedings, <https://www.mauriceblackburn.com.au/class-actions/current-class-actions/slater-and-gordon-shareholder-class-action/>, continuously until the date specified in order 4 below (**Opt Out Date**);
 - (b) The solicitors for Mr Hall will cause the Opt Out Notice to be sent to each person who has registered their contact details with Mr Hall’s solicitors, such



Opt Out Notices to be sent by email where an email address is available, or failing that by ordinary mail;

- (c) The solicitors for Mr Hall will make the Opt Out Notice available for inspection at each of the solicitors' offices throughout Australia continuously until the Opt Out Date;
 - (d) The District Registrar of the Victorian District Registry of the Federal Court of Australia shall cause the Opt Out Notice to be posted on the Federal Court of Australia website, <https://www.fedcourt.gov.au/law-and-practice/class-actions/classactions>, and made available for inspection at the District Registry of the Federal Court of Australia in Melbourne, Sydney, Canberra, Brisbane, Adelaide, Perth, Hobart and Darwin, continuously up to and including the Opt Out Date.
 - (e) The solicitors for Mr Hall will cause the Advertisement to be published once in one weekday edition of the *Australian Financial Review* by the Notice Date.
3. Pursuant to s 33J(1) of the Act, the day 6 weeks after the Notice Date, being 8 September 2021 (**Opt Out Date**) be fixed as the date by which group members may opt out of this proceeding.
4. Pursuant to sections 33J and 33ZF of the Act:
- (a) By 28 July 2021, the Applicant shall publish an online form that shall be capable of securely recording:
 - (i) the name of and contact information for each group member who wishes to opt out of this proceeding;
 - (ii) the consent of each such group member to opt out of the proceeding by way of electronic signature of the group member or their authorised agent (which may be a signature in the form of a typed name).
 - (b) Any group member who wishes to opt out of this proceeding must, before the Opt Out Date, complete and submit (personally or through an authorised agent) the online form referred to at (a) above and provide an electronic signature (which may be a signature in the form of a typed name), which will be accepted as proof of the Group member's intention to opt out of this



proceeding.

- (c) By 15 September 2021, the Applicant's solicitors will cause to be filed and served on the Respondents a document recording all information submitted by group members who have completed the online opt-out form and executed the electronic verification checkbox. Such document will be deemed to constitute written notice submitted by each group member whose name appears on the document for the purposes of s 33J(2) of the Act.
 - (d) Information submitted to the form referred to in (a) above shall be retained and used solely for the purpose of this Proceeding.
 - (e) Pursuant to Rule 1.34 of the Federal Court Rules 2011, compliance with Rule 9.34 is dispensed with to the extent necessary to effect paragraphs (b) and (c) above.
5. The costs of, and incidental to, the procedure set out in Orders 2 and 4 above are to be paid by Mr Hall, and such costs will be costs in the cause. For the avoidance of doubt, addressing inquiries by group members and members of the public in relation to the Opt Out Notice and / or the Advertisement is work that is incidental to Order 2 and 4 above;
6. If, on or before the Opt Out Date, the solicitors for any party receives a notice purporting to be an Opt Out Notice referable to this proceeding, the solicitors must file a copy of the Opt Out Notice with the Federal Court of Australia, Victorian District Registry, within seven (7) days after receiving it, and the Notice shall be treated as an Opt Out Notice received by the Court at the time it was received by the solicitors.
7. The solicitors for the parties be granted leave to inspect the Court file from time to time and to copy any Opt Out Notices filed.

Date that entry is stamped: 20 July 2021


Registrar



ANNEXURE A

FEDERAL COURT OF AUSTRALIA NOTICE

Slater & Gordon (Third-Party) Shareholder Class Actions
Hall v Pitcher Partners & Anor (VID918/2018) & Hall v Arnold Bloch Leibler (VID1010/2019)

THIS NOTICE IS IMPORTANT.
PLEASE READ IT CAREFULLY, AS IT MAY AFFECT
YOUR LEGAL RIGHTS.

If you purchased shares in Slater & Gordon Ltd (SGH) between 30 March 2015 and 24 February 2016, you should read this Notice carefully as it may affect your legal rights. This Notice has been sent in accordance with orders made by the Federal Court of Australia on 19 July 2021, copies of which are available on Maurice Blackburn's website.

1. WHY IS THIS NOTICE IMPORTANT?

You may be a Group Member in one or both of the following two class actions, and may be entitled to compensation if these class actions result in a judgment or settlement:

1. Hall v Pitcher Partners & Anor (VID918/2018) (**Pitchers Class Action**); and
2. Hall v Arnold Bloch Leibler (VID1010/2019) (**ABL Class Action**).

The Applicant in both cases (Mr Hall) is represented by Maurice Blackburn Lawyers.

This notice contains information, including:

1. how Group Members can **remain** in the class action/s; and
2. how Group Members can **opt out** of one or both of the class actions if they do not wish to remain part of the class action/s.

If you are a Group Member, you have two options for each of the two class actions (set out in more detail in **Section 3** below):

	Option	Required Action	Date
1	Remain in the class action	Nothing now (but consider registering your details with Maurice Blackburn to be directly notified of any settlement or judgment)	N/A (at this stage)
2	Opt Out of the class action (or one of them)	Complete online form	By 11.59pm AEST on 8 September 2021

2. INFORMATION ABOUT THE CLASS ACTION

WHAT IS A CLASS ACTION?

A class action is a type of legal proceeding in which the claims of a group of people (referred to as **Group Members**) are brought in a single proceeding. A class action is brought by the one or more "Applicants"



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(also called lead applicants) on behalf of Group Members. Group Members are automatically covered by the class action, unless they opt out through the process outlined in this notice.

AM I A GROUP MEMBER IN ONE OR BOTH OF THE CLASS ACTIONS?

You are a Group Member of one or both of the two class actions if you acquired an interest in fully paid ordinary shares in SGH at any time between:

- a. 30 March 2015 and 24 February 2016 (for the Pitchers Class Action) and
- b. 30 March 2015 and 25 November 2015 (for the ABL Class Action).

If you meet the above description and suffered loss or damage by reason of the conduct of the respondents named in the class action, you are a member of the class, regardless of whether you still hold shares or whether you also purchased additional SGH shares prior to or after that period.

If you are unsure of whether or not you are a Group Member or you do not understand the contents of this notice, you should contact Maurice Blackburn by email at SGH@mauriceblackburn.com.au, or telephone: 1800 572 151, or seek your own legal advice without delay.

WILL I HAVE TO PAY LEGAL COSTS IF I REMAIN A GROUP MEMBER?

No.

Group Members in the Pitchers Class Action and ABL Class Action are not, and will not be, liable for any “out of pocket” legal costs by remaining in, or registering for, either class action.

The costs of running the Pitchers Class Action and ABL Class Action are the responsibility of the Applicant and are being covered by the litigation funder, International Litigation Partners No 15 Pte Ltd (**ILP15**).

If the class actions are unsuccessful, you will not be liable for any legal costs.

If the Pitchers Class Action and/or ABL Class Action are successful (i.e., that it results in the payment of compensation following a judgment or an out-of-court settlement), we anticipate that legal costs and any payment to the litigation funder will, with the Court’s approval, be deducted on a pro rata basis from any settlement or judgment obtained. The Court will be asked to approve: (i) the Applicant’s reasonable legal costs and those of the litigation funder; and (ii) remuneration for the litigation funder, through a ‘Common Fund Order’, ‘Funding Equalisation Order’, or other expense sharing order such that Group Members who benefit from a favourable settlement outcome or judgment pay to the litigation funder an amount in respect of commission that would have been payable if those Group Members had entered into a litigation funding agreement with the litigation funder (being 30% to 35%) or some lesser amount which the Court considers reasonable in the circumstances.

WHAT ARE THESE CLASS ACTIONS ABOUT?

The Pitchers Class Action and ABL Class Action are being brought by the Applicant, Mr Matthew Hall, on his own behalf and on behalf of all persons who are Group Members.

In the Pitchers Class Action, the Applicant allege that in 2015 Pitcher Partners, SGH’s auditor for the 2015 financial year, and Ernst & Young LLP (**EY UK**), the component auditor of SGH’s UK businesses, failed to identify or communicate risks around the likelihood that the \$1.1 billion goodwill asset associated with the acquisition of the Professional Services Division (**PSD**) of Quindell plc was impaired. The result of this is alleged to be that SGH’s FY15 Financial Report and/or FY15 Appendix 4E were materially misstated. Each of Pitcher Partners and EY UK deny the allegations and are defending the class action.



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The ABL Class Action is about the Entitlement Offer announced to the ASX on 30 March 2015, which was used to raise capital from SGH shareholders to finance the acquisition of the PSD. The Applicant alleges that Arnold Bloch Leibler (**ABL**), SGH's legal adviser, engaged in misleading or deceptive conduct and / or was negligent in performing its role as, amongst others, a member of the Due Diligence Committee in relation to the Entitlement Offer. ABL denies the allegations and is defending the class action.

Further information about the proceedings, including the Statements of Claim, are available to be viewed on Maurice Blackburn's website at <https://www.mauriceblackburn.com.au/slaterandgordon>.

3. YOUR OPTIONS

You have two options for each class action of which you are Group Member, which are set out in detail below.

Option 1 - Remain a Group Member

If you qualify as a Group Member in the Pitchers Class Action and/or the ABL Class Action and you choose this option, you do not need to do anything in relation to this Notice. Your claims will be resolved through the class actions of which you are a Group Member.

If the Pitchers Class Action and/or ABL Class Action is successful, you will be entitled to share in the benefit of any order, judgment or settlement in favour of the Applicant and Group Members of the class action of which you remain a Group Member. In some cases, you may have to satisfy certain conditions before your entitlement will arise.

If the Pitchers Class Action and/or ABL Class Action are unsuccessful or are not as successful as you might have wished, you will continue to be bound by the outcome in the class actions of which you remain a Group Member. This means that if you remain a Group Member in the Pitchers Class Action, you will not be able to bring another action against Pitcher Partners or EYUK for the same claim. And if you remain a Group Member of the ABL Class Action, you will not be able to bring another action against ABL for the same claim.

If you do not understand this notice or require further guidance as to the consequences of remaining as a Group Member (or potential Group Member), you should contact Maurice Blackburn and/or seek independent legal advice before the Opt Out Deadline.

Registration

You may wish to register your interest in the Pitchers Class Action and/or the ABL Class Action on Maurice Blackburn's website. You can register for the class actions on Maurice Blackburn's website at <https://classaction.mauriceblackburn.com.au/pitcherpartners>.

You will then receive timely updates on the progress of the Pitchers Class Action and the ABL Class Action. You will also be sent any Court Notices, such as this one, directly using the contact details you provide during registration and be directly notified in the event of a judgment or settlement.

Option 2 – Opt out

If you qualify as a Group Member in the Pitchers Class Action and/or the ABL Class Action, and you choose this option with respect to either or both class actions, you will cease to be a Group Member of the class action (or class actions). You will not be entitled to participate in the distribution of any court-ordered damages award in favour of Group Members or any settlement.

If you opt out, you will preserve the right to bring your own claims in relation to the allegations covered



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by the class actions. In the event you wish to bring your own claim against Pitcher Partners, EYUK or ABL, you may wish to seek your own legal advice about your claim and any applicable time limits on your claim before choosing to opt out.

If you do not understand this notice or require further guidance as to the consequences of opting out, you should contact Maurice Blackburn and/or seek independent legal advice before the Opt Out Deadline.

If you wish to opt out, you must complete the online “Opt Out Notice” form located at <http://classaction.mauriceblackburn.com.au/pitcherpartners/optout> before the Opt Out Deadline at 11.59pm AEST on 8 September 2021.

IMPORTANT MATTERS TO NOTE

YOU SHOULD NOTE THAT:

Firstly, this is not a scam. You can check (and obtain copies of) any relevant documents by visiting Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/class-actions/current-class-actions/slater-and-gordon-shareholder-class-action/>

Secondly, if you wish to remain a Group Member, you do not need to do anything in relation to this Notice. Alternatively, you can actively register your interest in the Pitchers Class Action and/or ABL Class Action on Maurice Blackburn website at: <https://classaction.mauriceblackburn.com.au/pitcherpartners>.

Thirdly, if you wish to opt out, you must complete the ‘online form available at <http://classaction.mauriceblackburn.com.au/pitcherpartners/optout> before the Opt Out Deadline, i.e. by no later than 11.59pm AEST on 8 September 2021.

Fourthly, if you have any further questions, you may contact us at SGH@mauriceblackburn.com.au, or by telephone: 1800 572 151.



ANNEXURE B

FEDERAL COURT OF AUSTRALIA

IMPORTANT NOTICE

SLATER & GORDON (THIRD-PARTY) SHAREHOLDER CLASS ACTIONS

*(Matthew Hall v Pitcher Partners & Anor – Federal Court Proceeding VID 918 of 2018
Matthew Hall v Arnold Bloch Leibler – Federal Court Proceeding VID 1010 of 2019)*

The Federal Court of Australia has ordered that this advertisement be published to inform persons who may have claims affected by these class actions.

If you acquired an interest in fully paid ordinary shares in Slater & Gordon Limited (ASX: SGH) between 30 March 2015 and 24 February 2016 you may be a Group Member of one or both of the two class actions. Maurice Blackburn are the lawyers for the Applicant in both class actions.

If you are a Group Member, you have two options for each of the two class actions:

1. Remain in the class action/s

You do not need to do anything at this stage to remain a Group Member (but you may wish to consider registering your details with Maurice Blackburn to be directly notified of any update, settlement or judgement in the class actions).

2. Opt out of the class actions (or one of them)

If you decide to opt out, you will not be bound by any judgment or settlement that is approved by the Court and you will preserve your right to bring claims against the respondents. However, if you decide to opt out, you will not be entitled to participate in the distribution of any court-ordered award of damages in favour of Group Members or the proceeds of any settlement that is approved by the Court. If you wish to opt out, you must complete the online form available at <http://classaction.mauriceblackburn.com.au/pitcherpartners/optout> before 11.59pm AEST on 8 September 2021.

Detailed information regarding the options listed above are contained in the Opt Out Notice that has been approved by the Court. This advertisement is not a substitute for the Opt Out Notice and you should review the Opt Out Notice carefully as it may affect your legal rights.

The Opt Out Notice is available to download from Maurice Blackburn's website:

<https://www.mauriceblackburn.com.au/slaterandgordon>

If you have any questions about the class actions or the options listed above, you should contact Maurice Blackburn by email at SGH@mauriceblackburn.com.au, or by telephone 1800 572 151.



Schedule

No: VID918/2018

Federal Court of Australia
District Registry: Victoria
Division: General

Second Respondent	ERNST & YOUNG LLP
First Cross Respondent	SLATER & GORDON LTD
Second Cross Respondent	ANDREW ALEXANDER GRECH
Third Cross Respondent	KENNETH JOHN FOWLIE
Fourth Cross Respondent	IAN ROBERT COURT
Fifth Cross Respondent	RAYMOND JOHN SKIPPEN
Sixth Cross Respondent	ERICA MAREE LANE
Seventh Cross Respondent	RHONDA O'DONNELL
Eighth Cross Respondent	WAYNE BROWN
Ninth Cross Respondent	ERNST & YOUNG LLP